

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DONELL GEROD BRYANT,

Plaintiff,

v.

OFFICER DONOHUE, et al.,

Defendants.

Case No. 2:16-cv-01172-GMN-PAL

ORDER

(Mots. Ext Time – ECF Nos. 5, 9)

This matter is before the court on Plaintiff Donell Gerod Bryant's Motions for Extension of Time to Serve Complaint (ECF Nos. 5, 9). These Motions are referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A) and LR IB 1-3 and 1-7 of the Local Rules of Practice.

Plaintiff is a prisoner in the custody of the Nevada Department of Corrections ("NDOC") and he proceeding in this action *pro se* and *in forma pauperis* ("IFP"). See Jan. 6, 2017 Screening Order (ECF No. 2). This case arises from Plaintiff's allegations, pursuant to 28 U.S.C. § 1983, regarding his treatment while he was incarcerated at the Clark County Detention Center ("CCDC"). Upon review of the complaint, the court determined that it stated plausible claims for excessive strip searches and excessive force. *Id.* The court directed the Clerk of the Court to issue summons to defendants and deliver the same to the U.S. Marshal Service ("USM") for service. *Id.* The Clerk of the Court was also instructed to send Plaintiff three USM-285 forms, one copy of the complaint, and a copy of the order. *Id.* The court gave Plaintiff 30 days in which to provide the USM with the relevant information as to each defendant on each form. *Id.*

Plaintiff's first motion acknowledged that he received the Screening Order (ECF No. 2), but stated that he was awaiting transfer to an NDOC facility. He requested an additional 30 days to submit the USM-285 forms to avoid any delays and lost mail as a result of the transfer. The second motion states that the transfer is now complete and he is currently housed at the High Desert


1 State Prison. However, he has yet to enter the general population or access the law library.
2 Plaintiff therefore renews his request for an extension to submit the USM-285 forms to the USM.

3 Having reviewed and considered the matter, and for good cause appearing,

4 **IT IS ORDERED:**

- 5 1. Plaintiff Donell Gerod Bryant's Motions for Extension of Time to Serve Complaint
6 (ECF Nos. 5, 9) are GRANTED.
- 7 2. Plaintiff shall until **March 30, 2017**, to send the USM a completed USM-285 Form for
8 *each defendant*, as well as a copy of this Order authorizing service.
- 9 3. Within 14 days after receiving a copy of the completed USM-285 Form from the USM,
10 Plaintiff must file a notice with the court identifying which defendant(s) were served
11 and which were not, if any.
- 12 4. If Plaintiff wishes to have service attempted again on an unserved defendant, Plaintiff
13 must file a motion identifying the unserved defendant and specifying a more detailed
14 name and/or address for said defendant, or whether some other manner of service
15 should be attempted.
- 16 5. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, service must be
17 accomplished by **June 7, 2017**. Plaintiff's failure to effect timely service may result in
18 a recommendation to the district judge for dismissal of the action and/or unserved
19 defendant(s).

20 Dated this 8th day of March, 2017.

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23 PEGGY A. LEEN
24 UNITED STATES MAGISTRATE JUDGE
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